

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT TUCK, et al.,

No. C 12-04002 DMR

Plaintiffs,

**ORDER DENYING APPLICATION FOR
TEMPORARY RESTRAINING ORDER**

v.

WELLS FARGO HOME MORTGAGE, et
al.,

Defendants.

On October 9, 2012, Plaintiffs Robert Tuck and Patricia Berkowitz filed an *ex parte* application for a Temporary Restraining Order ("TRO") prohibiting the sale of real property located at 6349 Greenridge Court, Martinez, California 94553 ("the property"). [Docket No. 38.] Essentially, Plaintiffs ask the court to extend the TRO that this court previously granted on August 24, 2012, which barred Defendants, as well as their agents, assigns, and those acting in concert with Defendants, from selling, foreclosing, or otherwise alienating the property, and ordered Defendants to show cause why a preliminary injunction should not be ordered. [Docket No. 27.] However, that TRO expired on September 7, 2012, and the parties stipulated to continue the hearing on the order to show cause to November 29, 2012. [Docket Nos. 36, 37.] Therefore, there is no TRO in place to extend. Accordingly, Plaintiffs' application is DENIED.

IT IS SO ORDERED.

Dated: October 10, 2012

DONNA M. RYU
United States Magistrate Judge Ryu
Judge Donna M. Ryu

